

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ABIGALE PFINGSTEN and ANOKHY
DESAI *on behalf of themselves and all others*
similarly situated,

Case No. 2:20-CV-00716-RJC

Plaintiffs,

v.

CARNEGIE MELLON UNIVERSITY,

Defendant.

**DECLARATION OF STEPHANIE M. VALERIO
REGARDING NOTICE ADMINISTRATION**

1. My name is Stephanie M. Valerio, and I am over the age of eighteen (18) years. I make this declaration under the penalty of perjury, free and voluntarily, under no coercion, threat, or intimidation, and without promise of benefit or reward, based on my own personal knowledge. If called to testify, I could and would testify consistent with the matters stated herein.

2. I am the Assistant Claims Manager for RG/2 Claims Administration LLC (“RG/2 Claims”), whose address is 30 South 17th Street, Philadelphia, PA 19103, the independent third-party settlement administrator retained as Claims Administrator to handle various settlement administration activities in the above-referenced matter, including, but not limited to, mailing of settlement notification packages to Class Members, emailing settlement notification to Class Members, claimant correspondence, and distribution.

3. RG/2 Claims is a full-service class action settlement administrator offering notice, claims processing, allocation, distribution, tax reporting, and class action settlement consulting services. RG/2 Claims’ experience includes the provision of notice and administration services for settlements arising from antitrust, data security breach, consumer, civil rights, employment, negligent disclosure, and securities fraud allegations. Since 2000, RG/2 Claims has administered and distributed in excess of \$2 billion in class action settlement proceeds.

4. I have been actively involved and responsible for handling the administration of the settlement of the above-referenced matter.

5. RG/2 Claims was retained to, among other tasks, a) prepare, print and mail CAFA Notice; b) prepare, print, mail and email Notices to Settlement Class Members; c) establish and maintain the Settlement Website; d) prepare activity reports; e) handle inquiries from and correspondence to Settlement Class Members; f) re-mail Notices; g) skip-trace undeliverable addresses; h) receive and track Opt-Out requests and Objections; i) issue the Settlement Benefit to each Settlement Class Member; and j) conduct such other tasks as the Parties mutually agree or the Court orders RG/2 Claims to perform.

6. RG/2 Claims provided notice of the proposed Settlement (as outlined in the Settlement Agreement) pursuant to CAFA (the “CAFA Notice”). In particular, on February 24, 2025, RG/2 Claims caused to be served by Federal Express, Certified Return Receipt Requested First-Class mail, or electronic mail where applicable, the CAFA Notice, and the documents required under 28 U.S.C. § 1715(b)(1)-(8) to the United States Attorney General and 52 State Attorney Generals. A copy of the Notice of Proposed Settlement, excluding its exhibits, is attached hereto as **Exhibit A**.

7. On February 18, 2025, RG/2 Claims received an electronic file containing the names, last known email and postal addresses belonging to all Potential Settlement Class Members. In order to provide the best notice practicable and locate the most recent addresses for Potential Settlement Class Members, RG/2 Claims processed the Class List names and addresses received through the United States Postal Service’s (“USPS”) National Change of Address database (“NCOA”) and updated the data with corrected information. It was determined that there were 13,337 Potential Settlement Class Members.

8. On April 4, 2025, RG/2 Claims caused to be served via email to the Potential Settlement Class Members, the Short Form Notice of Proposed Class Action Settlement (“Short

Form Notice”). Of the 12,544 emailed Short Form Notices, 12,509 were delivered successfully. RG/2 Claims caused to be served via First Class mail and Air Mail, the Short Form Notice, to 824 Potential Settlement Class Members for whom emails were either invalid, unsuccessful or not provided. There were four Potential Settlement Class members for whom RG/2 Claims was not provided with a valid email or mailing address. A true and correct copy of the Short Form Notice is attached hereto as **Exhibit B**.

9. On or about April 4, 2025, RG/2 Claims made available the Settlement Website, www.cmucovidsettlement.com. The website includes the following:

- a. The “Homepage” contains a brief summary of the settlement and advises Settlement Class members of their rights under the Settlement. A copy of the Homepage is attached hereto as **Exhibit C**;
- b. The “Notice” page contains a pdf copy of the Long Form Notice;
- c. The “Election Form” page contains the form that Settlement Class Members may submit electronically to designate their preferred method for receiving the funds, including physical check, Venmo, or PayPal;
- d. The “Important Documents” page contains: the Stipulation of Settlement, the Preliminary Approval Order, Plaintiffs’ Motion for Award of Attorneys’ Fees, Costs, and Case Contribution Awards to Settlement Class Representatives, Plaintiffs’ Memorandum in Support of Motion for Award of Attorneys’ Fees, Costs and Case Contribution Awards to Settlement Class Representatives; and
- e. The “Contact” page contains the contact information of the Settlement Administrator and Class Counsel.

10. RG/2 Claims also made available a toll-free phone number at (866) 742-4955 for Class members to speak with a live operator or leave a voicemail message requesting a returned call.

11. RG/2 Claims also made available Post Office Box 59479 in Philadelphia, PA 19102-9479 to receive and process returned Notices, Opt-Outs, and Objections.

12. The Short Form Notice informed Settlement Class Members of, among other things, their right to request exclusion from the Settlement, provided the request was postmarked within forty-five (45) days from the initial mailing of the Notice or by May 19, 2025. To date, RG/2 Claims has received two Opt Out requests. Copies of the Opt Out requests are attached hereto as **Exhibit D**.

13. The Short Form Notice also informed Class Members of their right to object to the Settlement, provided the request was postmarked within forty-five (45) days from the initial mailing of the Notice or by May 19, 2025. To date, RG/2 Claims has not received or been advised of any objections to the Settlement.

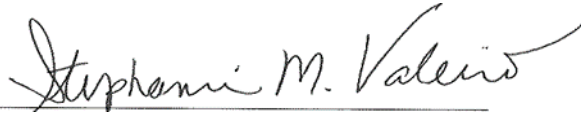
14. As of the May 19, 2025 Objection/Exclusion Deadline, the USPS returned 55 Notices as undeliverable. Of the 55 Notices returned, the USPS provided forwarding addresses for two and they were promptly remailed Notice. RG/2 Claims performed extensive skip-trace procedures for the 53 undeliverable Notices and was able to locate updated addresses for 17 Settlement Class Members and RG/2 Claims promptly mailed a new Notice to those Settlement Class Members. A total of 36 Short Form Notices remain undeliverable.

15. Therefore, in total, direct notice successfully reached 13,297 out of 13,337 Potential Settlement Class Members, or approximately 99.7% of the Settlement Class.

16. As of June 19, 2025, RG/2 Claims has received 2,850 executed Election Forms via electronic submission. Upon review, RG/2 Claims determined that 91 of the 2,850 executed Election Forms were duplicate submissions.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES THAT TO THE BEST OF MY KNOWLEDGE THE FOREGOING IS TRUE AND CORRECT.

Executed on June 19, 2025 at Philadelphia, PA

By: 

Stephanie M. Valerio, Declarant

EXHIBIT

A



February 24, 2025

Via «Via_Mail»

«First» «Last», «Esquire»
 «Title»
 «Street_1»
 «Street2»
 «City», «State1» «Zip»

Re: *Abigale Pfingsten and Anokhy Desai on behalf of themselves and all others similarly situated v. Carnegie Mellon University* Case No. 2:20-CV-00716
 In the United States District Court for the Western District of Pennsylvania
Notice of Proposed Settlement

To the Honorable «First» «Last», Esq.:

Pursuant to the Class Action Fairness Act of 2005 (specifically 28 U.S.C.A. § 1715), Defendant, *Carnegie Mellon University*, through its vendor, RG/2 Claims Administration LLC, hereby gives notice in the above-captioned matter (the “Action”) of the following:

1. Pursuant to the requirements under the Class Action Fairness Act of 2005, copies of the following documents are contained on the CD-Rom included herein:
 - a. Exhibit 1: Consolidated Class Action Complaint filed on September 25, 2020;
 - b. Exhibit 2: Plaintiffs’ Unopposed Motion to Preliminarily Approve Class Action Settlement, Certify the Class, Appoint Class Counsel, Approve Proposed Class Notice, And Schedule a Final Approval Hearing filed on February 14, 2025;
 - c. Exhibit 3: Memorandum of Law in Support of Plaintiffs’ Unopposed Motion to Preliminarily Approve Class Action Settlement, Certify the Class, Appoint Class Counsel, Approve Proposed Class Notice, and Schedule a Final Approval Hearing filed on February 14, 2025;
 - d. Exhibit 4: Stipulation of Settlement filed on February 14, 2025;
 - e. Exhibit 5: [Proposed] Order Granting Plaintiffs’ Unopposed Motion to Preliminarily Approve Class Action Settlement, Certify the Class, Appoint Class Counsel, Approve Proposed Class Notice, and Schedule a Final Approval Hearing filed on February 14, 2025;

February 24, 2025

Page 2



- f. Exhibit 6: Notice of Proposed Class Action Settlement filed on February 14, 2025;
 - g. Exhibit 7: Order Granting Plaintiffs' Unopposed Motion to Preliminarily Approve Class Action Settlement, Certify the Class, Appoint Class Counsel, Approve Proposed Class Notice, and Schedule a Final Approval Hearing filed on February 19, 2025;
 - h. Exhibit 8: Approximate Class Members Per State of Residency.
2. The Settlement Class is defined as:
- “All students who were assessed tuition and/or fees to attend at least one in-person course(s) during the Spring 2020 semester at CMU but had their course(s) moved to remote learning; excluding (i) any person who properly executes and files a timely opt-out request to be excluded from the Settlement Class; and (ii) the legal representatives, successors or assigns of any such excluded person.”
- 3. It is not feasible to provide the anticipated gross settlement amount allocations at this time. The amounts recovered by each individual member may vary. Exhibit 8, on the enclosed CD-ROM, provides a table of the Approximate Class Members per State of Residency.
 - 4. There are no other settlement or other agreements between class counsel and counsel for defendants pursuant to 28 U.S.C. § 1715(b)(5).
 - 5. The Court has not yet entered a final judgment or notice of dismissal. Accordingly, no document is presently available pursuant to 28 U.S.C. § 1715(b)(6).
 - 6. Finally, there are no relevant written judicial opinions pursuant to 28 U.S.C. § 1715(b)(8).

If you have questions about this notice, the lawsuit, or the enclosed materials, please contact RG/2 Claims Administration LLC at 215-979-1620.

Sincerely,

RG/2 Claims Administration LLC

EXHIBIT B

Subject: NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

PLEASE READ THIS NOTICE CAREFULLY. If you were assessed tuition and/or fees to attend at least one in-person course(s) during the Spring 2020 semester at Carnegie Mellon University (“CMU”) but had your course(s) moved to remote learning, you may be eligible to receive a payment as part of a proposed settlement of *Pfingsten, et al. v. Carnegie Mellon University*, Civil Action No. 2:20-cv-00716 (W.D. Pa.) (the “Action”).

In this Action, Plaintiffs alleged CMU breached a contract when it transitioned to remote learning in response to the COVID-19 pandemic. Plaintiffs also alleged that CMU’s shift to remote learning gave rise to claims of unjust enrichment. Plaintiffs sought a refund of a portion of their tuition and fees for the Spring 2020 semester. CMU denies all allegations of wrongdoing and there has been no finding of liability in any court. However, considering the interest of both CMU and its students in prompt resolution of the matter, CMU and Plaintiffs have agreed that CMU will pay \$4,800,000 into a Settlement Fund to resolve the Action.

Am I a Class Member? If you were assessed tuition and/or fees to attend at least one in-person course(s) during the Spring 2020 semester at CMU but had your course(s) moved to remote learning, then **you are part of the proposed settlement class (a “Settlement Class Member”).** **If you are a Settlement Class Member, you do not have to do anything to participate in and receive the benefits of the proposed Settlement. You should, however, notify the Settlement Administrator if you have a new permanent mailing address or you wish to be paid by Venmo or PayPal.**

How Do I Get a Payment? Your payment will be sent automatically by first class U.S. Mail to your last known permanent mailing address on file with CMU. Class Members will also have the option to visit the Settlement Website at www.cmucovidsettlement.com to choose one or more of the following selections: (a) provide an updated address for sending a check; or (b) elect to receive the Settlement Benefit by Venmo or PayPal instead of a paper check. These actions must be taken no later than forty-five (45) days after the Effective Date, as defined in the proposed Settlement. That date will also be posted on the Settlement Website when it is known, but it will be some time after the Final Approval Hearing currently scheduled for JUNE 30, 2025. To elect how you would like to receive your Settlement Benefit or update your address visit www.cmucovidsettlement.com and complete the Election Form using the Class Member code and PIN number below.

Class Member Code: [Class Member code]

PIN: [PIN NUMBER]

By participating in the proposed Settlement, you release your right to bring any claim covered by the proposed Settlement, including bringing any claim related to CMU’s transition to remote learning in the Spring 2020 semester, or joining any other action against CMU related to CMU’s transition to remote learning in the Spring 2020 semester.

What Are My Other Options? If you do not want to participate in this proposed Settlement—meaning you do not want to receive the Settlement Benefit, and you do not want to be bound by any judgment entered in this case—you may exclude yourself by mailing a signed opt-out request to the Settlement Administrator, which must be postmarked no later than MAY 19, 2025. If you instead want to object to this proposed Settlement because you think it is not fair, adequate, or reasonable, you may submit an objection, which also must be postmarked no later than MAY 19, 2025. Please follow the detailed instructions outlined in the Long Form Notice and the Settlement Agreement, which can both be found at www.cmucovidsettlement.com, to properly opt-out from, or object to, the proposed Settlement.

What Happens Next? The Court has preliminarily approved the proposed Settlement, but the distribution of payments will occur only if the Court grants final approval of the proposed Settlement. The Final Approval Hearing in this case is scheduled for JUNE 30, 2025. At that hearing, the Court will consider whether to grant final approval of the proposed Settlement, and whether to approve payment from the Settlement Fund of: (1) awards to the Settlement Class Representative for their service in this litigation; and (2) Class Counsel's requested attorneys' fees, which will not exceed thirty-three and one-third percent of the Settlement Fund and will be posted on the Settlement Website after MAY 5, 2025, and reimbursement for litigation costs.

You are encouraged to review the Long Form Notice. To review the Long Form Notice, review other important documents, including the Settlement Agreement, and obtain more information about the proposed Settlement, please visit www.cmucovidsettlement.com

If you have any questions, you can contact Class Counsel: Nicholas A. Colella at Lynch Carpenter, LLP, (412) 322-9243 or Philip L. Fraietta of Bursor & Fisher, P.A., (646) 837-7142.

You can also contact the Settlement Administrator by calling toll-free 1-866-742-4955, or by emailing info@rg2claims.com.

EXHIBIT C

NOTICE OF PROPOSED SETTLEMENT OF CLASS ACTION LAWSUIT

**The United States District Court for the Western
District of Pennsylvania**

Pfingsten, et al. v. Carnegie Mellon University

Civil Action No. 2:20-cv-00716 (W.D. Pa.)

**ATTENTION: ALL STUDENTS WHO WERE ASSESSED
TUITION AND/OR FEES TO ATTEND AT LEAST ONE
IN-PERSON COURSE(S) DURING THE SPRING 2020
SEMESTER AT CARNEGIE MELLON UNIVERSITY BUT
HAD THEIR COURSE(S) MOVED TO REMOTE
LEARNING**

If you were assessed tuition and/or fees to attend at least one in-person course(s) during the Spring 2020 semester at Carnegie Mellon University (“CMU”) but had your course(s) moved to remote learning, you are part of the proposed settlement class (a “Settlement Class Member”) affected by this lawsuit.

If you are a Settlement Class Member, you do not have to do anything to participate in and receive the benefits of the proposed Settlement. You should, however, notify the Settlement Administrator if you have a new permanent mailing address or you wish to be paid by Venmo or PayPal.

WHAT IS THIS LAWSUIT ABOUT?

The class action being settled is captioned Pfingsten, et al. v. Carnegie Mellon University, Civil Action No. 2:20-cv-00716 (W.D. Pa.). This case is a putative class action, meaning that the Settlement Class Representatives—Abigaile Pfingsten and

Anokhy Desai—brought this action as individuals acting on behalf of a putative class of all people who paid tuition and/or fees for the Spring 2020 semester at CMU. The Settlement Class Representatives alleged claims for breach of contract and unjust enrichment. With the help of a mediator, the Parties came to the proposed Settlement.

HOW DO I KNOW IF I AM PART OF THE SETTLEMENT CLASS?

If you were assessed tuition and/or fees to attend at least one in-person course(s) during the Spring 2020 semester at CMU but had your course(s) moved to remote learning, then you qualify as a Settlement Class Member.

HOW DO I GET A PAYMENT?

Your payment will be sent automatically by first class U.S. Mail to your last known permanent mailing address on file with CMU. Class Members will also have the option to click the Election Form tab on this website to choose one of the following selections: (a) provide an updated address for sending a check; or (b) elect to receive the Settlement Benefit by Venmo or PayPal instead of a paper check. This action must be taken no later than forty-five (45) days after the Effective Date, as defined in the proposed Settlement. That date will also be posted on the Settlement Website when it is known, but it will be some time after the Final Approval Hearing, currently scheduled for **June 30, 2025**.

WHAT ARE MY OTHER OPTIONS?

If you do not want to participate in this proposed Settlement— meaning you do not want to receive the Settlement Benefit, and you do not want to be bound by any judgment entered in this case—you may exclude yourself by mailing a signed opt-

out request to the Settlement Administrator, which must be postmarked no later than **May 19, 2025**. If you instead want to object to this proposed Settlement because you think it is not fair, adequate, or reasonable, you may submit an objection, which also must be postmarked no later than **May 19, 2025**.

Please follow the detailed instructions outlined in the Long Form Notice (pdf/CMU_Long_Form_Notice.pdf) and the Settlement Agreement (pdf/Carnegie_Mellon_Settlement_Agreement.pdf) to properly opt-out from, or object to, the proposed Settlement.

WHAT HAPPENS NEXT?

The Court has preliminarily approved the proposed Settlement, but the distribution of payments will occur only if the Court grants final approval of the proposed Settlement. The Final Approval Hearing in this case is scheduled for **JUNE 30, 2025**. At that hearing, the Court will consider whether to grant final approval of the proposed Settlement, and whether to approve payment from the Settlement Fund of: (1) awards to the Settlement Class Representative for their service in this litigation; and (2) Class Counsel's requested attorneys' fees, which will not exceed thirty-three and one-third percent of the Settlement Fund and will be posted on the Settlement Website after **May 5, 2025**, and reimbursement for litigation costs.

YOU ARE ENCOURAGED TO REVIEW THE LONG FORM NOTICE

To review the Long Form Notice, review other important documents, including the Settlement Agreement, and obtain more information about the proposed Settlement please click on the appropriate tabs at the top of this page.

PLEASE DO NOT CONTACT THE COURT OR CMU CONCERNING THIS NOTICE OR THE PROPOSED SETTLEMENT.

© 2025

EXHIBIT D

APR 24 2025

I, Paulina Davison, would like to opt out of the Settlement Class for the Action Pfingsten, et al. v. Carnegie Mellon University, Civil Action No. 2:20-cv-00716 (W.D. Pa.).

Paulina Davison April 5, 2025

Name : Paulina Davison

Address : 2619 N Warner St Apartment 2
Tacoma, WA 98407

Email : paulina-davison31415@gmail.com

2619 N Warner St
Apartment 2
Tacoma, WA 98407

TACOMA WA 983
OLYMPIA WA
16 APR 2025 PM 4 L

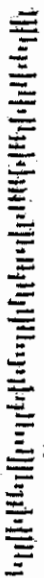
Carnegie Mellon Covid Settlement

c/o RG/2 Claims Administration LLC, 

P.O. Box 59479

Philadelphia, PA 19102-9479

19102-947979



MAY 06 2025

Daniele Bellutta
5736 Holden Street
Apartment 12
Pittsburgh, PA 15232

30 April 2025

Carnegie Mellon Covid Settlement
c/o RG/2 Claims Administration LLC
P.O. Box 59479
Philadelphia, PA 19102-9479

To whom it may concern:

I request to opt out of the settlement class for the action *Pfingsten, et al. v. Carnegie Mellon University*, Civil Action No. 2:20-cv-00716 (W.D. Pa.). My information is below.

Name: Daniele Bellutta
Address: 5736 Holden Street, Apartment 12, Pittsburgh, PA 15232, United States of America
E-mail address: dbellutt@andrew.cmu.edu

Sincerely,


Daniele Bellutta

DANIELE BELLOTTA
5736 HOLDEN ST
APT 12
PITTSBURGH, PA 15232

PITTSBURGH PA 150
2 MAY 2025 PM 2 L



CARNEGIE MELLON COVID SETTLEMENT
C/O R4/2 CLAIMS ADMINISTRATION LLC
P.O. BOX 59479
PHILADELPHIA, PA 19102-9479

19102-947979

